

43, 45-72 and 76-77 remain pending under examination. Claims 44 and 73-75 have been cancelled.

Applicants have carefully considered the Examiner's Action of April 23, 2002, and the references cited therein. The following is a brief summary of the Action.

Claims 1, 5, 6, 8, 11, 13-16 and 19-21 were rejected under 35 U.S.C. § 103(a) as unpatentable over US Patent No. 5,158,395 to Holmberg ("Holmberg '395") in view of US Patent No. 5,125,767 to Dooleage ("Dooleage"). Claims 22-24 were rejected under 35 U.S.C. § 103(a) as unpatentable over Dooleage in view of Holmberg '446. Claims 2, 3, 17 and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Holmberg '395 in view of Dooleage and further in view of Bradley. Claim 25 was rejected under 35 U.S.C. § 103(a) as unpatentable Dooleage in view of US Patent No. 4,555,201 to Paoluccio ("Paoluccio"). Claims 26-30 were rejected under 35 U.S.C. § 103(a) as unpatentable over Dooleage in view of Paoluccio and further in view of US Patent No. 4,889,446 to Holmberg ("Holmberg '446"). Claims 31, 33, and 34 were rejected under 35 U.S.C. § 103(a) as unpatentable over Dooleage in view of Paoluccio. Claim 32 was rejected under 35 U.S.C. § 103(a) as unpatentable over Dooleage in view of Paoluccio and further in view of US Patent No. 5,232,429 to Cizek et al ("Cizek et al"). Claims 35, 37-43, 45 and 49-72 were rejected under 35 U.S.C. § 103(a) as unpatentable over Dooleage in view of Bradley. Claims 76 and 77 were rejected under 35 U.S.C. § 103(a) as unpatentable over Bradley in view of Dooleage. Claims 46-48 were rejected under 35 U.S.C. § 103(a) as unpatentable over Dooleage in view of Bradley and further in view of US Patent No. 3,911,170 to Honjo et al ("Honjo et al"). Claims 42 and 43 were rejected under 35 U.S.C. § 103(a) as unpatentable Dooleage in

view of Labora GB No. 1,487,986 ("Labora"). Claim 44 was rejected under 35 U.S.C. § 103(a) as unpatentable over Cizek et al in view of Dooleage. Claims 73-75 were rejected under 35 U.S.C. § 102(b) as anticipated by US Patent No. 5,902,070 to Bradley (hereinafter "Bradley"). Claims 73-75 were rejected under 35 U.S.C. § 103(a) as unpatentable over Dooleage in view of Bradley.

Holmberg '395 issued from a continuation application of Holmberg '446, and therefore the disclosures of Holmberg '395 and Holmberg '446 are identical.

Since claims 44 and 73-75 have been cancelled, these rejections are moot.

The structures and systems that are the subject of this application are called upon to resist some of Mother Nature's most powerful and unpredictable forces. Applicant is in his mid-60's now, and has been in this business for many years. He has often been reminded that this business is very much a struggle against the unpredictable power of Mother Nature, which constantly acts to reclaim the land that Applicant's inventions and products try to preserve. Applicant's business is located in Florida where hurricane season is well under way, and the consequences of losing this struggle become almost weekly threats.

The size and scope of these structures that are called upon to these powerful forces of wind and wave action are massive. The drawings in some of the references attempt to convey the relative sizes of these structures. But even these drawings are incapable of providing the impact of actually seeing these structures being built and put into place as Applicant has done for may years. Applicant believes that were the Office able to experience an encounter with some of these structures first hand, then the Office might begin to appreciate, as does Applicant, the improbability that a person of

ordinary skill in this field would combine the teachings of the references in the manner being asserted by the Office. Accordingly, in an effort to provide some semblance of this experience, Applicant encloses a copy of one of his company's brochures (published in December, 1997) containing photos of these structures in relation to a man standing inside one of the containers (lower right corner) and in relation to a man standing on top of a container disposed next to dredging machines (lower left corner).

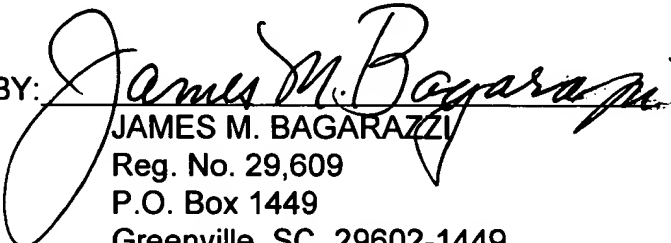
Applicant respectfully requests reconsideration and reexamination of claims 1-6, 8, 11, 13-35, 37-43, 45-72 and 76-77, and submit that these claims are in condition for allowance and should be passed to issue.

If any fee or extension of time is required to obtain entry of this Amendment, the undersigned hereby petitions the Commissioner to grant any necessary time extension and authorizes charging Deposit Account No. 04-1403 for any such fee not submitted herewith.

Respectfully submitted,

DORITY & MANNING, P.A.

DATE: 9-23-02

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# Phoenix Spiral Geotextile Tubes Leave the Competition



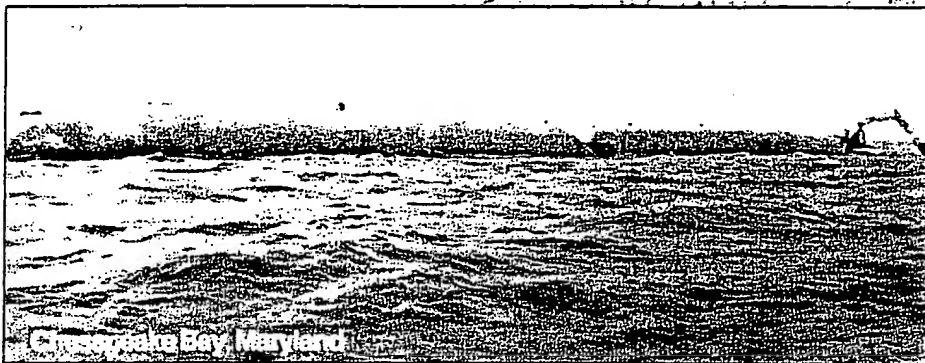
See June/July 1997 Geotechnical Fabrics Report

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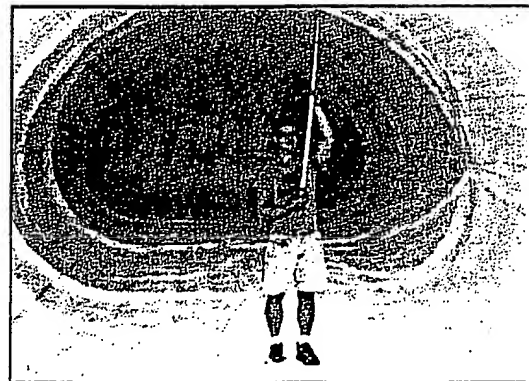
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